

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

Daniel A. Ferrie,	)	
	)	
Plaintiff,	)	CIVIL ACTION NO.
	)	04-12068 JLT
vs.	)	
	)	
K Mart Corporation,	)	
	)	
Defendant.	)	

PLAINTIFF'S MOTION FOR A BRIEF EXTENSION OF THE DISCOVERY DEADLINE

Now comes the Plaintiff, Daniel A. Ferrie, by his attorney, and respectfully requests a brief sixty (60) day extension of the discovery deadline in the above action to and including **September 28, 2005**. Discovery is otherwise due to close on July 29, 2005. As good cause for the allowance of the within motion, the Plaintiff respectfully submits that:

1. This is the first such extension requested by the Plaintiff.
2. The Plaintiff has today received over 350 additional documents from Defendant and needs the additional time to review the same and take any additional discovery, including depositions, undersigned counsel deems necessary.
3. These produced documents, *inter alia*, include information concerning certain K Mart District Manager employees who were not identified pursuant to the Court's order dated January 5, 2005 and whose identities were recently confirmed during the deposition of the Plaintiff's former supervisor.
4. Undersigned counsel, after thoroughly reviewing these documents, may deem it necessary to

take the depositions of these or other individuals, continue the deposition of Defendant's Fed.R.Civ.P. 30(b)(6) designee, and/or seek leave from the court to serve requests for admissions upon Defendant. Undersigned counsel will additionally seek to determine through the above discovery methods why these individuals were not identified by Defendant. 1

5. The allowance of the within motion will not affect any remaining deadlines in this action.

WHEREFORE, the Plaintiff, Daniel A. Ferrie, respectfully requests that the within motion be ALLOWED.

Respectfully submitted,  
Daniel A. Ferrie  
By his attorney,

/s/Paul F. Wood  
Paul F. Wood, BBO #565195  
Law Office of Paul F. Wood, P.C.  
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Boston, Massachusetts 02114  
(617) 532-2666

#### LOCAL RULE 37.1 AND 7.1 CERTIFICATION

I, Paul F. Wood, counsel for the Plaintiff, hereby certify that on July 29, 2005 I conferred with counsel for the Defendant in a good faith attempt to narrow or resolve the issues raised in the within motion, but that the said attempt was unsuccessful in whole or in part.

/s/Paul F. Wood  
Paul F. Wood

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1 Undersigned counsel has no evidence that it was counsel for the Defendant who intentionally withheld the above referenced information.